

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claim 1 (currently amended): A food package for delivering a ~~food-or~~ beverage-forming product to a dispenser configured to prepare and dispense a ~~food-or~~ beverage product from the ~~food-or~~ beverage-forming product by diluting said ~~food-or~~ beverage-forming product with a diluent in the dispenser comprising a single-serving or multi-serving receptacle having at least one wall member that defines an enclosure, a ~~food-or~~ beverage-forming product present within the enclosure; wherein the ~~food-or~~ beverage-forming product is configured for providing a ~~food-or~~ beverage product when diluted with diluent in the dispenser, and a programmable tag associated with the ~~food-or~~ beverage-forming product or single-serving or multi-serving receptacle, wherein the programmable tag includes machine-readable information regarding the product which information is programmed at the manufacturing plant and includes instructions or a verification code in electronic form for controlling at least one of preparation of a ~~food-or~~ beverage from the ~~food-or~~ beverage-forming product in the dispenser or dispensing of a ~~food-or~~ beverage from the dispenser, wherein the programmable tag comprises preparation instructions or data relevant for configuring the dispenser as to the preparation of the beverage.

Claim 2 (previously presented): The food package of claim 1, wherein the tag is affixed to an exterior surface of the package.

Claim 3 (previously presented): The food package of claim 1, wherein the tag is an RFID device.

Claim 4 (previously presented): The food package of claim 1, wherein the tag is affixed to an interior surface of the package.

Claim 5 (canceled):

Claim 6 (previously presented): The food package of claim 5, wherein the tag includes a date of expiration in electronic form for the product.

Claims 7-9 (canceled):

Claim 10 (previously presented): The food package of claim 1, wherein the verification code is an expiration date determined from the date when the package is opened.

Claim 11 (previously presented): The food package of claim 1, wherein the food- or beverage-forming product is a powder, a concentrate or a ready-to-drink product.

Claim 12 (currently amended): A method of preparing or dispensing a ~~food or~~ beverage, which method comprises:

encoding instructions in electronic form on a machine-readable tag at a manufacturing plant for preparation of a single-serving or multi-serving of the ~~food or~~ beverage;

associating the tag with the single-serving or multi-serving of a ~~food-forming or~~ beverage-forming product or a single-serving or multi-serving package that contains the product; wherein the ~~food or~~ beverage-forming product is configured for providing a ~~food or~~ beverage product when diluted with diluent in the dispenser;

placing the package in or close to a dispenser configured to prepare and dispense a ~~food or~~ beverage product from the ~~food or~~ beverage-forming product by diluting said ~~food or~~ beverage-forming product with a diluent in the dispenser;

reading of the machine-readable tag by the dispenser prior to preparation or dispensing of the single-serving or multi-serving of the ~~food or~~ beverage; and

executing the electronic instructions encoded on the machine-readable tag by the dispenser to prepare or dispense the single-serving or multi-serving of the ~~food or~~ beverage; wherein the preparation or dispense of the single-serving or multi-serving of the ~~food or~~ beverage includes a diluting step of the ~~food or~~ beverage-forming product with a diluent, wherein the encoded instructions are relevant for configuring the dispenser regarding any of the following parameters selected from the group consisting of diluent temperature, beverage temperature, diluent ratio, mixing or whipping time, mixing or whipping speed, dispensing time, measured amount of beverage-forming product and combinations thereof.

Claim 13 (currently amended): A method of controlling the preparation or dispensing of a ~~food or beverage~~ product from a ~~food-forming or beverage-forming~~ product, which method comprises:

encoding a verification code in electronic form on a machine-readable tag at a manufacturing plant, wherein the tag is associated with a single-serving or multi-serving of a ~~food-forming or beverage-forming~~ product or a single-serving or multi-serving food package that contains the product; wherein the ~~food or beverage-~~ forming product is configured for providing a ~~food or beverage~~ product when diluted with diluent in the dispenser;

placing the single-serving or multi-serving package in or close to a dispenser configured to prepare and dispense a ~~food or beverage~~ product from the ~~food or beverage-~~ forming product by diluting said ~~food or beverage-~~ forming product with a diluent in the dispenser;

reading of the machine-readable tag by the dispenser prior to preparation or dispensing of a ~~food or beverage~~ from the single-serving or multi-serving ~~food or beverage-forming~~ product; and

comparing of the verification code read from the machine-readable tag with a list of valid verification codes;

wherein the ~~food or beverage~~ is either prepared from the single-serving or multi-serving ~~food or beverage-~~ forming product or dispensed when the verification code read from the machine-readable tag matches a valid verification code from the list; wherein the preparation or dispense of the single-serving or multi-serving of the ~~food or beverage~~ includes a diluting step of the ~~food or beverage-~~ forming product with a diluent; wherein the encoded instructions are relevant for configuring the dispenser regarding any of the following parameters selected from the group consisting of diluent temperature, beverage temperature, diluent ratio, mixing or whipping time, mixing or whipping speed, dispensing time, measured amount of beverage-forming product and combinations thereof.

Claim 14 (original): The method of claim 13, wherein an error code is generated when the verification code read from the machine-readable tag does not match a valid verification code from the list.

Claim 15 (original): The method of claim 14, wherein the error code disables the dispenser from preparing or dispensing the food or beverage.

Claim 16 (original): The method of claim 14, wherein the error code notifies a consumer that the product selected for dispensing is not available.

Claim 17 (original): The method of claim 14, wherein the error code notifies an operator of the dispenser that an invalid product verification code has been read.

Claim 18-20 (canceled):

Claim 21 (currently amended): A system for dispensing a product, comprising:

at least one single-serving or multi-serving food package including a receptacle having at least one wall member that defines an enclosure, and a ~~food~~-or-beverage-forming product present within the enclosure; wherein the ~~food~~-or-beverage-forming product is configured for providing a ~~food~~-or-beverage product when diluted with diluent in the dispenser,

a programmable tag associated with the ~~food~~-or-beverage-forming product or at least one single-serving package; and

a dispenser adapted for reading the programmable tag and for preparing and dispensing a ~~food~~-or-beverage from the ~~food~~-forming-or-beverage-forming product(s) of the single-serving package(s); wherein the preparation or dispense of the single-serving or multi-serving of the ~~food~~-or-beverage includes a diluting step of the ~~the food~~-or-beverage-forming product with a diluent; wherein the programmable tag contains information that is relevant to the preparation of the beverage and to set the dispenser regarding any of the following parameters selected from the group consisting of diluent temperature, beverage temperature, diluent ratio, mixing or whipping time, mixing or whipping speed, dispensing time, measured amount of beverage-forming product and combinations thereof.

Claim 22 (previously presented): The system of claim 21, wherein the package is composed of a non-conductive material and the tag is located within the enclosure.

Claim 23 (previously presented): The system of claim 21, wherein the package is composed of a conductive material and the tag is attached to the at least one wall member on a side opposite that of the enclosure.

Claim 24 (original): The system of claim 21 , wherein the tag is an RFID device that includes information in electronic form regarding the features, properties or processing of the product.

Claim 25 (original): The system of claim 21, wherein the dispenser includes a tag reader for reading the tag, and a processor having memory operatively associated with the dispenser, and the tag reader, and a connection to an external communications network, the processor configured to

- signal the tag reader to read the tag;
- receive information read from the tag by the tag reader;
- store the information in the memory; and
- place the information on the external communications network..

Claim 26 (original): The system of claim 25, wherein the tag includes product preparation instructions in electronic form and the processor is also configured to carry out the instructions to prepare and dispense the product.

Claim 27 (original): The system of claim 26, wherein the processor sets one of a dilution ratio, an operating temperature, a mixing time, or a dispensing time for the dispenser in accordance with the set of instructions in electronic form.

Claim 28 (original): The system of claim 26, wherein the processor is further configured to read a current time and date from an electronic clock, and then the processor compares the current time and date with a time and date of expiration contained in the set of information; and when the current time and date is earlier than or equal to the time and date of expiration, processor disables the dispenser from dispensing the product.

Claim 29 (original): The system of claim 28, further comprising the step of:
when the current time and date is earlier than or equal to the time and date of expiration, the processor places a data set on the external communications network, the data set to include a name of the product, the time and date of expiration, and an indicia of identification for the dispenser.

Claim 30-31 (canceled):

Claim 32 (previously presented): The system of claim 21, wherein the dispenser includes pre-determined quality indicia comprising at least one of a brand name, an indication of origin, a generic product grading or an expiration date.

Claim 33 (currently amended): The system of claim 32, which further comprises preparing the ~~food or~~ beverage from the ~~food or~~ beverage-forming products only when collected information from the programmable tag matches at least one of the pre-determined quality indicia.

Claim 34 (currently amended): The system of claim 32, which further comprises dispensing the prepared ~~food or~~ beverage only when collected information from the programmable tag matches at least one of the pre-determined quality indicia.

Claim 35 (currently amended): A single-serving or multi-serving food package for delivering a ~~food or~~ beverage-forming product to a dispenser configured to prepare and dispense a ~~food or~~ beverage product from the ~~food or~~ beverage-forming product by diluting said ~~food or~~ beverage-forming product with a diluent in the dispenser, comprising:

a receptacle having at least one wall member that defines an enclosure, the enclosure housing a single-serving or multi-serving of a ~~food or~~ beverage-forming product; wherein the ~~food or~~ beverage-forming product is configured for providing a ~~food or~~ beverage product when diluted with diluent in the dispenser;

a programmable tag associated with the ~~food or~~ beverage-forming product and single-serving package, wherein the programmable tag is electronically programmed at a manufacturing plant to include machine-readable information regarding the product, which information includes at least one of instructions or a verification code for controlling the dispenser to prepare the single-serving ~~food or~~ beverage from the ~~food or~~ beverage-forming product or to dispense the ~~food or~~ beverage; wherein the programmable tag contains coded information that is relevant to the preparation of the beverage for setting the dispenser regarding any of the following parameters selected from the group consisting of diluent temperature, beverage temperature, diluent ratio, mixing or whipping time, mixing or whipping speed, dispensing time, measured amount of beverage-forming product and combinations thereof.

Claim 36 (previously presented): The food package of claim 1, wherein the tag includes information in electronic form regarding at least one of features, properties and processing of the product.

Claim 37 (new): The food package of claim 1, wherein the preparation instruction or data are relevant for configuring the dispenser regarding any of the parameters selected from the group consisting of diluent temperature, beverage temperature, diluent ratio, mixing or whipping time, mixing or whipping speed, dispensing time, measured amount of beverage-forming product and combinations thereof.